LEAP

13th Annual Associate Academy Held in Cleveland

Twenty-three first-year associates gathered in Cleveland in March for Baker Hostetler’s 13th Annual Associate Academy, a four-day program geared toward professional development and relationship building.

The Associate Academy features sessions led by industry experts on topics ranging from business etiquette and communication skills to legal writing and the art of negotiation. The program was developed to provide new associates with guidance on starting their careers and the opportunity to meet and network with peers from across the Firm.

The 2012 program was co-chaired by Cleveland Business Partner Amy Kellogg and Houston Litigation Partner Greg Ulmer. In addition to the guest speakers, attendees heard from a number of Baker Hostetler partners, including Executive Partner Steve Kestner.

“The Associate Academy is an important event for both professional and personal development,” said Kellogg. “It is a substantive program designed to maximize the future success of our new associates.”

Among the topics covered were effective legal negotiation, legal writing, e-discovery, time management, professional liability and communication skills. Also covered was a discussion on the importance of Baker Hostetler’s culture, the foundation of the Firm’s success. Kellogg and Ulmer led a session on “The Real Story of Your Career and Professional Development at the Firm.”

“The Associate Academy is an example of the Firm’s commitment to and investment in our new associates and provides them with the opportunity to have fun while developing relationships with other associates among our different offices and practice groups,” said Ulmer. “This is one of the most valuable aspects of the Academy because every successful lawyer knows and appreciates the value of relationships, and it is wise to begin forming relationships early.”

The Associate Academy also provided plenty of opportunities for socializing, with dinners at local restaurants, a wine tasting, a poker tournament and a reception at the Cleveland office hosted by Managing Partner Hewitt Shaw.
Reflections on Associate Academy

First-year associates share their thoughts on Associate Academy with LEAP.

Tim Neal
University of Virginia
Cleveland office

Baker Hostetler distinguishes itself from other national firms by emphasizing a collegial environment. Bringing together first-year associates from all of the offices for four days of social and professional events illustrates this focus. I was able to get acquainted with the associates from the other offices while learning about the Firm’s founding principles. Partner Paul Eyre’s discussion of the Firm’s history starting with the founding members was particularly fascinating.

Many firms promote a uniform front during the recruiting stages, but few are committed to maintaining solidarity once new associates have been hired. Baker Hostetler is one of those few.

Joe Fore
University of Virginia
Orlando office

The Associate Academy is an excellent example of the investment Baker Hostetler makes in its attorneys. The insights Amy, Greg and the other partners offered on what it means to grow as an attorney were instrumental in building the foundation for our future development. The Academy’s focus on professional growth ensures we are prepared to contribute to the breadth and depth of Baker Hostetler’s national platform.

The Academy is also a great opportunity to network with your colleagues and forge the relationships that will make your experience at Baker Hostetler invaluable. Interacting with the other associates through a range of activities, including the legal writing and negotiation sessions, as well as the wine tasting and poker tournament, allowed us all to discuss our diverse experiences and get to know one another on both a professional and personal level. No matter what office or practice group you belong to, you will find that the first-year associates you meet share your concerns and anxieties about starting out at the Firm. There is a lot of comfort and reassurance in that communal experience.

Serine Consolino
University of Texas
New York office

Baker Hostetler made a tremendous effort to engage excellent speakers and presenters, including Partner Paul Eyre and program co-chairs, Partners Greg Ulmer and Amy Kellogg. I felt like I left the program having markedly improved my writing, speaking and legal skills, and with a very clear idea of what my next steps will be to continue improving and building upon what I learned. That being said, it wasn’t all work! We had great fun, too—Poker Night took the cake!

Leah Watson
Harvard University
Washington, D.C., office

The Associate Academy offers those just starting out at the Firm substantive, tangible advice. The sessions that focused on practical skills, such as negotiating and communicating, were extremely helpful and gave me tools that I could implement immediately when I returned. The time management session was also particularly interesting as I learned to conceptualize the time I put into my workday in a new and unique way.

The activities were well balanced, with opportunities to really get to know my colleagues on both a professional and social level. I really enjoyed the poker tournament and thought the trophies awarded to the winners were a nice touch. Overall, the academy was a great experience and, in a few short days, covered

(continued on page 3)
M&A Practice Leading Advisor to Middle Market and FORTUNE 1000 Companies

A cross-office, cross-practice team led by New York Partner and Co-Chair of the Firm’s Transactions Team, **Steven Goldberg**, represented The E.W. Scripps Company in the $212 million acquisition of all the outstanding shares of the McGraw-Hill Broadcasting Company, a subsidiary of The McGraw-Hill Companies. The deal encompassed a total of nine television stations, four of which are ABC affiliates. Scripps is now the largest independent operator of ABC television stations in the country.

A Cleveland M&A team led by Chair of the Business Group, Partner John Gherlein, also represented long-time client TransDigm Group Incorporated, a manufacturer of parts for commercial and military planes, in connection with its agreement to acquire AmSafe Global Holdings, Inc., for $750 million. AmSafe is the world leader in safety and securement products for the aerospace, defense and ground transportation industries. Baker Hostetler previously advised TransDigm in several acquisitions, including the acquisition of McKecknie Aerospace Holdings, Inc., for $1.265 billion.

a lot of fundamental bases that prepared me to build long-term relationships within the Firm and with clients.

Daniel Curtin
New York University
New York office

The Associate Academy was a great experience. It was a perfect mix of informative presentations and fun activities, ranging from a Baker Hostetler history lesson with Partner Paul Eyre at a steakhouse to a Friday night poker tournament. And because the event was hosted in Cleveland, it made me feel a sense of connection with the Firm and its roots.

The real highlight of the program, however, was being able to meet and bond with the first-year associates from all of the other offices. It’s nice to know that I’m beginning to build a professional network that spans the entire country.

First-year associates engaged in professional development at the Associate Academy.
Baker Hostetler as Counsel to the SIPA Trustee is currently in its fourth year of the liquidation of Bernard L. Madoff Investment Securities LLC (BLMIS). SIPA Trustee and Baker Hostetler Bankruptcy Partner Irving H. Picard oversees the liquidation proceeding of BLMIS in collaboration with his court-appointed Baker Hostetler counsel led by Litigation Partner David J. Sheehan. The Madoff Recovery Initiative is a challenging, multifaceted mission that requires thorough investigation of global banking practices, the feeder fund industry and financial instruments, among countless other issues surrounding this unprecedented financial fraud.

As of May 2012, the SIPA Trustee has recovered or entered into agreements to recover more than $9.1 billion, representing approximately 52 percent of the approximately $17.3 billion in principal estimated to have been lost in the Ponzi scheme by BLMIS customers who filed claims. These recoveries exceed prior restitution efforts related to Ponzi schemes both in terms of dollar value and percentage of stolen funds recovered. The SIPA Trustee has distributed approximately $330 million from the Customer Fund, which, when combined with the advances the SIPA Trustee has requested and received from the Securities Investor Protection Corporation (SIPC), amounts to more than $1.1 billion returned to BLMIS customers to date.

Baker Hostetler was selected to help unravel the Madoff Ponzi scheme—the largest and most complex financial fraud case in U.S. history—based on our diverse experience in complex business litigation, bankruptcy law, white collar criminal investigations, and corporate finance. With a cross-practice, national team of attorneys focused on the case, this matter has Baker Hostetler leading the way on complex issues related to hedge funds, synthetic investment vehicles and the deconstruction of intricate financial structures, as well as innovative, challenging causes of action and jurisdictional topics.

Since 2010, the Firm’s relationship with Caterpillar has been a whirlwind of activity. Over the last two years, Baker Hostetler has taken on more than 40 active product liability lawsuits, in addition to some 45 accident investigations, including last year’s successful defense of Caterpillar by the Houston office in a product liability case involving a fatality. Attorneys in the Chicago and D.C. offices also represent Caterpillar in a variety of commercial and IP lawsuits.

Baker Hostetler’s most recent case for the company provided the Firm with an opportunity to further demonstrate its broad and deep capabilities. At issue was a breach of contract by a Caterpillar supplier for the manufacture of essential component parts. The value of the contract over just the next few years was estimated to be in excess of $200 million. The Firm filed a lawsuit seeking a preliminary injunction to compel the manufacturer to supply critical components that are incorporated into some of Caterpillar’s premier, heavy earth-digging machines. After several weeks of fast-moving litigation, Firm attorneys worked with Caterpillar’s attorneys in the negotiation and execution of a new agreement that secured for Caterpillar a steady supply of product and prevented significant economic injury, as well as damage to the company’s reputation.

Chicago Litigation Partners John Touhy and Ted Williams, Washington, D.C., IP Litigation Partner Greg Commins and Cleveland Corporate Partner Rob Weible worked together to secure this successful outcome. Chair of the Firm’s Antitrust practice and head of the Caterpillar team in the D.C. office, Partner Bob Abrams made his entire group available to help in this matter.
Cleveland Partners Dan Warren and Karl Fanter, together with Associates Lisa Ghannoum and Karen Swanson Haan, obtained the reversal of the murder conviction and life sentence of former University of Akron (UA) student Adrian Barker in the 2009 death of Kent State University (KSU) student Christopher Kernich. The 11th District Court of Appeals’ unanimous decision was authored by Judge Cynthia Rice, who in her nine years on the bench had never before voted to reverse a murder conviction.

Barker’s case attracted significant attention because of his reputation in the community and the perceived racial aspects of the case. Barker had no history of violence and, having earned an academic college scholarship, had a bright future ahead of him. Everything changed, however, in November 2009 when Barker was caught up in a drunken melee at Kent State University with several of his friends, fellow UA student Ronald Kelly and Kelly’s roommate, Glen Jefferson. During the fight, KSU student Kernich sustained head injuries and died a week later. Due to the amount of alcohol consumed by every witness, the late hour and the darkness, eyewitness accounts given that night detailing who threw the fatal punch varied wildly.

When police arrived, they immediately detained Barker and Kelly—who are both African-American—and ignored Jefferson, who was white, even though a 911 caller had identified Jefferson as the principal assailant.

Barker and Kelly were charged with murder, felony murder and felonious assault. Barker was also accused of tampering with evidence, a charge that was added days later after a police officer noticed Barker wiping the Nike symbol on his sneakers on a booking room videotape. The prosecution contended that Barker had wiped blood off his shoes. The jury ultimately found Barker guilty on all charges.

Baker Hostetler’s strategy was to frame the events as a chaotic, drunken melee and to focus on the widely varying initial eyewitness accounts. Based on testimony affirming that—at most—Barker punched Kernich, the team argued that a jury could have reasonably determined that Barker only acted recklessly, which would be insufficient to find him guilty of murder or felonious assault. The team also argued that flawed jury instructions prevented the jury from properly determining Barker’s state of mind and the degree of harm that he intended to inflict based on the initial divergent witness accounts.

The appellate court agreed, reversing Barker’s convictions for felonious assault, felony murder and murder, and remanding the case for a new trial. The prosecution appealed the reversal to the Ohio Supreme Court, and the team appealed the decision to affirm Barker’s tampering conviction for which Barker is currently serving a five-year sentence.
Baker Hostetler Supports Diversity and Women’s Initiatives

Throughout the year, Baker Hostetler offices across the country support a number of women’s and diversity initiatives, both within and outside the Firm.

In conjunction with Women’s History Month, the Orlando office Women’s Committee chose to honor the Foundation for Foster Children at its annual women’s event. Baker Hostetler partnered with the organization to host a private cocktail reception and evening program that raised more than $300,000 for the organization.

More than 300 key clients and contacts of both the Firm and the Foundation were in attendance, including the Orlando Magic, BBA Aviation, Signature Flight Support, CNL Bank, Walt Disney World, Starwood Hotels and Resorts, Siemens Energy and many others.

Other diversity and women’s initiatives include:

• The Cleveland office Women’s Committee and other women attorneys at the Firm hosted a networking reception at a prestigious private club. More than 50 women attended the reception, including Firm clients PNC Bank, Fairport Asset Management, Forest City Enterprises, The Cleveland Orchestra, Visiting Nurse Association of Ohio, DDR Corp. and KeyBank.

• The Denver office hosted its 7th Annual Reception Celebrating Women’s History Month, “Women’s Education—Women’s Empowerment,” at PISMO Fine Art Glass. Attendees included Firm clients DISH Network, the Colorado Hotel and Lodging Association, The Denver Orchestra, Northern Trust Bank of Colorado and the FlatIron Credit Company, among others.

• The Urban Assembly School for Criminal Justice (UASCJ) students toured Baker Hostetler’s New York office earlier this year. This annual event is organized by Partner Jeanine Conley and Associate Tarsha Luke, both members of the UASCJ advisory board. The Firm has been a sponsor of UASCJ since its inception in 2007.

• Baker Hostetler’s Houston office participated in the Association of Women Attorneys (AWA) and the Center for Women in Law’s (CWIL) inaugural boot camp in February. Houston Managing Partner Lisa Pennington led a contingent of three other Baker Hostetler attorneys at the event. Participating attorneys worked with 3Ls on developing skills in effective communication with colleagues, self-promotion and networking.

• Partner Fernando Bohorquez hosted the New York Law School’s Latino American Law School Association Inaugural Alumni Mixer in February. The event was an opportunity for current and former LALSA members to reconnect as well as to meet with the Firm’s Latino attorneys.
Lisa Pennington Honored as Inaugural Recipient of AWA’s Premier Woman in the Law Award

Houston office Managing Partner Lisa Pennington was selected as the inaugural recipient of Houston’s Association of Women Attorneys’ (AWA) Premier Woman in the Law Award.

Twelve highly accomplished women, all managing partners of their respective AmLaw 100 firms’ Houston offices, were considered for the award. After a lengthy due diligence process, AWA determined Pennington was the candidate who has contributed the most to the advancement of women in the Houston legal market. In selecting Pennington, AWA commended her for the leadership and inspiration she demonstrated as the first female managing partner in Houston. The organization also cited her contributions as a founding member of the Center for Women in Law (CWIL), in addition to her work for CWIL and AWA’s first boot camp for female law students and judicial clerks. Baker Hostetler’s Houston office was a key signatory for the Women’s Initiative by the Houston Bar Association.

Pennington credits the Firm’s support of women lawyers in helping her win the award. “Thirty percent of the award was based on how well your firm had promoted women to partner, equity partner and other management positions. The Firm is dedicated to advancing the case for women in leadership roles in the legal profession, and the fact that we are above the national average for women partner and equity partner advancement, demonstrates that commitment,” she says.

Among her many contributions to Baker Hostetler, Pennington previously served on the Firm’s Policy Committee and for six years was the coordinator of the Houston Labor and Employment practice. She currently chairs the Firm’s Women’s Committee and is a member of the Diversity Committee.

• Baker Hostetler was a supporting sponsor for the LGBT Community Center’s Annual Dinner in March. New York Associate Doug Nevin is a member of the Center’s Young Leaders Council.

• Columbus Business Associate Mark Hatcher hosted a private screening of “Red Tails,” a biopic of the Tuskegee Airmen, for more than 500 attendees. The Firm invited African-American business leaders in the community, key clients and several high profile city contacts, including members of Columbus City Council and Columbus Mayor Michael B. Coleman.

• The Cincinnati office sponsored the YWCA’s 12th Annual Heart-to-Heart Racial Justice Breakfast. Attendees experienced a meaningful dialogue about racism’s personal and community-wide impact with keynote speakers who have had a national impact on landmark civil rights cases.

• Sally Qin, associate in the D.C. office, emceed the National Council of Chinese Americans (NCCA) Lunar New Year Inaugural Reception in February. More than 280 guests attended, including Minister Yang of the Chinese Embassy and U.S. Congresswoman Judy Chu. “As a first-year associate, I was extremely flattered by the invitation to emcee this high-profile event, but was hesitant to accept the invitation. Partner Tom McDonald encouraged me to take the opportunity, and I am very pleased that I did. Not only was I able to be an active participant in an event that celebrated the importance of Chinese Americans in American life, but I was able to network with business leaders in the D.C. community and begin laying the groundwork for my business development efforts,” said Qin.
Coming Soon!

Baker Hostetler representatives will be visiting your campus this Fall. Check with your Career Services Center or our website (www.bakerlaw.com) for dates. We look forward to meeting you!

All our offices will be represented at the following schools:

- Columbia University
- Duke University
- Harvard University
- New York University
- Northwestern University
- Stanford University
- University of California Berkeley
- University of Chicago
- University of Michigan
- University of Pennsylvania
- University of Texas
- University of Virginia
- Yale University

Select offices will also be visiting the following schools:

- Capital University
- Case Western Reserve University
- Cornell University
- Florida State University
- Fordham University
- George Washington University
- Georgetown University
- The Ohio State University
- St. John’s University
- University of California Los Angeles
- University of Cincinnati
- University of Colorado
- University of Denver
- University of Florida
- University of Houston
- University of Kentucky
- University of Miami
- University of Minnesota
- University of Notre Dame
- University of Southern California
- Vanderbilt University

For the most current list of visits, please visit our website: www.bakerlaw.com

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Baker Hostetler publishes LEAP to keep law students informed of the legal experience and associate programs (LEAP) across our Firm. If you would like to view past issues of LEAP, please visit www.leap2baker.com.